

## Rincon del Rio Code Assessment

The following is an assessment of how Rincon del Rio complies with the provisions of Nevada Counties Development Code Section L-II 2.7.12 Continuing Care Retirement Community Combining District (CCRC).

### **SEC. L-11 2.7.12 CONTINUING CARE RETIREMENT COMMUNITY COMBINING DISTRICT (CCRC)**

A. Purpose. The Continuing Care Retirement Community Combining District (CCRC) is intended to provide for housing and care services in an age-restricted setting that includes independent living, assisted living, nursing care, physical rehabilitation, and memory-impairment housing. The concept of CCRCs is to support "aging in place" communities that promote and encourage a wide range of living arrangements for senior citizens that includes physical and programmed social connectivity, and supportive health-related and similar services. CCRCs shall be combined with a PD (Planned Development) District. The location and site planning characteristics of CCRCs shall be carefully considered pursuant to policy provisions contained within the General Plan and will emphasize clustering of development, preservation of open space, and minimizing adverse impacts to the character and lifestyles associated with neighborhoods near the project site.

*The Rincon del Rio Project offers healthy living and community services and “age in place” housing options in an “aged restricted campus setting” that includes independent living, memory/assisted living options, physical rehabilitation, in-home care, health-related services, food service, social activities, and cleaning and home maintenance services. See CMP Project Description for details and services provided.*

B. Uses Permitted. Uses allowed within the base district are allowed within the CCRC Combining District, subject to the level of review and approval established for the base district or as modified herein.

The CCRC Combining District shall also permit, subject to the approval of a Use Permit, the following uses:

- Independent Living Units
- Assisted Living Units
- Nursing Care
- Physical Rehabilitation

*Rincon del Rio ~ CCRC District Assessment*

Date: July 30, 2019

To: County of Nevada

Re: SCO Job No. 200803

- Memory Impairment Housing
- Ancillary uses supporting the primary CCRC use and providing service to CCRC residents, employees, and guests, including dining facilities, convenience retail, gift shops, service commercial, laundry facilities, arts and crafts buildings, gardens, indoor and outdoor recreational facilities, and maintenance facilities.

*The Project proposes Independent Living Units, Assisted Living/ Memory Impairment Housing Units, Long-Term Care options, In-Home Care, and Physical Rehabilitation. In addition, a variety of ancillary uses supporting the primary CCRC use are provided to serve the CCRC residents, employees, and guests, including dining facilities, convenience retail, gift shops, service commercial, laundry facilities, arts and crafts buildings, gardens, indoor and outdoor recreational facilities, and maintenance facilities. Daily services for all residents will include a grocery & sundry store, beauty shop/hair salon, barbershop, post office/mailbox room, personal business/computer center, appointment banking, theater, library, retail gift shop, and arts/crafts studio.*

*The Project also provides a variety of recreational amenities including over 4 miles of improved walking trails throughout the property, general picnic areas and social gathering areas along the Bear River, raised-bed community gardens, aquatic center, fitness center, bocce ball courts, tennis and pickleball courts. Fitness and wellness classes will be provided. These amenities are dispersed throughout the project development area. A 1.7-acre Village Park will contain the Aquatic Center building along with several miles of soft-surface trails meandering through the open space area and along the Bear River will be included.*

- C. Establishing CCRC Zoning. The following general objectives and requirements shall be used to establish CCRC Combining District zoning for an individual CCRC use:
1. The Continuing Care Retirement Community shall provide senior housing and care services in an age- restricted setting that includes a mix of housing options that may include independent living, assisted living, nursing care, physical rehabilitation, and memory-impairment housing.

*The Project proposes age-restricted Independent Living Units, Assisted Living/ Memory Impairment Housing Units, Long-Term Care options, in-home care, and Physical Rehabilitation.*

2. The Continuing Care Retirement Community shall emphasize clustering of development, preservation of open space, and minimizing adverse impacts to the character and lifestyles associated with neighborhoods near the project site.

**Rincon del Rio ~ CCRC District Assessment**

Date: July 30, 2019

To: County of Nevada

Re: SCO Job No. 200803

*The projects development area is clustered on approximately 20% of the total 214-acre site. Over 80% of the site will remain undeveloped and in its natural state, similar to the adjacent properties surrounding the site. An operational fee for implementation of a maintenance and open space management plan will be part the of HOA annual dues to ensure an adequate and continuing funding source is provided for Open Space management. Implementation of the plan will be provided by the Rincon del Rio campus Operational and Management Company. The open space management plan shall include provisions for fuel modification and defensible space per Public Resources Code Section 4291. The soft surface trail network will have annual maintenance to ensure proper drainage and erosion control.*

3. The Continuing Care Retirement Community shall require the approval of a Use Permit (with corresponding Master Plan) from the Planning Commission.

*A Use Permit has been approved for this project.*

4. The Continuing Care Retirement Community shall be subject to compliance with the provisions of the California Environmental Quality Act.

*An EIR has been prepared and certified as part of the project approval.*

- D. Standards. The following standards shall apply to new CCRC development applications:

1. The CCRC development is age-restricted to adults 55 years of age and older.

*The project is age-restricted to adults 55 years of age. A deed restriction will be recorded as part of the final map of record to insure notice to prospective future owners that the campus is age-restricted.*

2. Minimum collective CCRC project size shall be 50 acres in Rural Regions and 20 acres in Community Regions.

*The property for Rincon del Rio is 215 acres.*

3. Maximum CCRC density shall not exceed 2 units per acre in Rural Regions and 6 units per acre in Community Regions. CCRCs shall have a maximum of 400 living units. Nursing Care and/or Memory Care beds shall be included in the overall project density calculations at a ratio of 4 beds/1 and 1 kitchen per living unit. A maximum number of persons per acre to be determined in conjunction with the processing of Use Permit.

*Rincon del Rio ~ CCRC District Assessment*

Date: July 30, 2019

To: County of Nevada

Re: SCO Job No. 200803

*The project has a total of 345 units including the Assessed/Memory Care facility.*

4. For CCRCs located in Rural Regions, development shall be clustered on the project site; with at least 50 percent of the total project site (parcel) area shall be open space. Open space shall be generally contiguous, accessible to residents where topographic and other natural sites and environmental features allow, and projective of sensitive habitat areas and significant natural features.

*The project development area is clustered in the west portion of the site leaving 80% of the site in contiguous undeveloped open space.*

5. Setbacks: The minimum building setback from adjacent property lines shall be 30 feet for residential structures and 50 feet for administrative, dining hall and related ancillary uses. Setbacks for active outdoor use areas shall not be less than 30 feet.

*The town center where the administrative, dining hall and related ancillary uses are located is over 120 feet from the west property line. All residential units are setback at least 30 feet or greater from any exterior property line.*

6. Building Heights: The maximum height of each structure shall not exceed 3 stories and 45 feet.

*No building exceeds 45 feet.*

7. Housing types may vary, including a mix of attached and detached residences for independent and assisted living.

*The project provides cottage and bungalow detached independent living units, 5-plex condo units, attached condo units and residential lofts above the administrative, dining hall and related ancillary uses in the village center.*

8. Adequate recreational facilities shall be constructed with each CCRC project, providing for both indoor and outdoor recreational activities, with at least two acres devoted to outdoor recreational areas (which may include trails, play courts, and active open space areas).

*The project provides over 4 miles of improved walking trails throughout the property, general picnic areas and social gathering areas along the Bear River, raised-bed community gardens, aquatic center, fitness center, bocce ball courts, tennis courts, and pickleball area. Fitness and wellness classes will be provided. These amenities are dispersed throughout the project development area. A 1.7-acre Village Park will*

*Rincon del Rio ~ CCRC District Assessment*

Date: July 30, 2019

To: County of Nevada

Re: SCO Job No. 200803

*contain the Aquatic Center building along with several miles of soft-surface trails meandering through the open space area and along the Bear River will be included.*

9. Support retail uses shall not exceed 1,500 square feet of building space per use.

*Floor plans for the various individual buildings and the individual retail uses do not exceed 1500 S.F.*

10. CCRCs must have reasonable proximity to emergency health care services.

*Rincon del Rio is within 20 minutes to Sierra Nevada Manorial Hospital and 15 minutes to Auburn Faith. Also, the campus will have EMT's on site.*

11. CCRCs must include the following minimum range of services:

- a. Provide and operate ADA equipped transportation services for use by facility residents.

*The project will provide a minimum of two para-transit vehicles, ADA equipped for the purposes of transporting residents within the facility to various business appointments, grocery and service needs, recreation and special events. Transportation will be provided daily.*

- b. Provide on-site community dining facilities and services, offering a minimum of two meals/day.

*The project will provide the main dining facility for daily meals. In addition, foodservice venues such as lunch café/bistro, ice cream parlor, a coffee shop/bookstore, and light eating areas will be provided in the Village. Meals prepared in the facility can be delivered to individual residences or residents can dine in the main dining or the café/bistro facility.*

- c. Offer a range of on-site personal services for facility residents to help support a self-contained, "village" environment. These services can include community-serving general store, beauty shop/barbershop, post office /mailbox room, personal business services, entertainment center, recreation facilities, and similar uses which are of an accessory and supportive nature to the primary CCRC use.

*The project proposes a variety of ancillary uses supporting the primary CCRC use and providing service to CCRC residents, employees, and guests, including dining facilities, community-serving general store, beauty shop/barbershop, post office/mailbox room, personal business services, entertainment center, convenience retail, gift shops, service*

*Rincon del Rio ~ CCRC District Assessment*

Date: July 30, 2019

To: County of Nevada

Re: SCO Job No. 200803

*commercial, laundry facilities, arts and crafts buildings, gardens, indoor and outdoor recreational facilities, and maintenance facilities.*

- d. Central laundry service.

*Washers and dryers will available for each independent unit. In addition, contract laundry services will be available.*

- e. On-site Nursing Care, CMT personnel and/or contract medical care for weekly or bi-weekly visits from professional medical staff for facility residents.

*The project will provide on-site EMT personnel and contract medical care may be provided from contract doctors on site providing geriatrics care for the residents.*

- f. On-site, outdoor recreational facilities. This can include swimming pools, trails, play courts, and similar improvements and features.

*The project provides over 4 miles of improved walking trails, and soft surface trails throughout the property, general picnic areas and social gathering areas along the Bear River, raised-bed community gardens, aquatic center, fitness center, bocce ball courts, tennis courts, and pickleball area. Fitness and wellness classes will be provided. These amenities are dispersed throughout the project development area. A 1.7-acre Village Park will contain the Aquatic Center building along with several miles of soft-surface trails meandering through the open space area and along the Bear River will be included.*

12. Parking: On-site parking shall be provided as noted below. The number of required onsite parking stalls may be reduced provided the applicant can demonstrate to the satisfaction of the Planning Agency that existing conditions justify a reduction and will not result in a parking deficiency.

- a. Independent Living Units: 1 stall per unit.

- b. Special Care Units: 1 stall per four beds.

- c. Administration: 1 stall per 300 square feet of gross floor area.

- d. Employees: 1 stall per each non-administration employee on shift.

- e. Guest Parking: 1 stall per every 3 units.

*Rincon del Rio ~ CCRC District Assessment*

Date: July 30, 2019

To: County of Nevada

Re: SCO Job No. 200803

- f. Truck Loading Zone: 1 space in proximity to the main dining or administrative building.
- g. Parking stall dimensions and locations shall be consistent with Section II. 4.2.9 of the County Zoning Regulations.

*Please see the Comprehensive Master Plan for details of the parking proposed per unit and per use. In general, the project provides 731 stalls or 1.76 stalls per person.*

- 13. Landscaping: Shall be pursuant to an approved Master Plan for the project site.

*A landscaping plan is provided.*

- 14. Lighting: Shall be pursuant to an approved Master Plan for the project site.

*A Lighting Plan has been provided.*

- 15. Signage: Shall be pursuant to an approved Master Plan for the project site.

*A Signage Plan has been provided.*

- E. Development Agreements. CCRC project applicants may be required to enter into a Development Agreement with the County to address key development responsibilities of each party, posting of necessary sureties related to project phasing, provision of necessary infrastructure, and other issues. The determination of whether a Development Agreement is required will be made by the County following a review of project application materials.

*A Development Agreement has been adopted for the Rincon del Rio existing project approval. The proposed use permit amendment is not requesting a change to the existing DA except a change to the Phasing Plan exhibit map know and "Exhibit D". All other provisions within the DA remain.*

- F. Other Agency Approvals. The project shall obtain all necessary local and State agency and permit approvals, including, as necessary, a certificate of authority and a residential care facility for the elderly (RCFE) license from the California Department of Social Services. Operations of CCRC shall comply with all applicable Community Care licensing laws and regulations.

- G. Non-Conforming Structures. Legally established non-conforming structures may be repaired, altered or reconstructed, without limitation, if the structure has been approved by the Nevada County Historical Landmark Commission and registered by the Nevada

Rincon del Rio ~ CCRC District Assessment

Date: July 30, 2019

To: County of Nevada

Re: SCO Job No. 200803

County Board of Supervisors, as a historical landmark.

H. Design Review. Each CCRC Master Plan shall include detailed architectural renderings and plans to allow the Planning Agency to undertake project design review with each Master Plan application, and shall respond to the following provisions:

1. Architectural planning and design shall incorporate energy-efficient design techniques, such as natural heating and cooling systems, use of sun and wind energy generation systems, etc.

*Please refer to the Project Booklet Exhibits that depict all building designs and elevations along with building materials. Please also refer to the Certified EIR that has mitigation measures required for energy efficiency. These measures will be incorporated into the project design.*

2. Structures located near the project property lines shall be designed and located in a manner that reflects consistency and compatibility with neighboring areas and shall include appropriate use of building density, heights, and design to minimize any intrusion on neighbors.

*Most of the project density is on the west side of this site. The Village Center has two-story buildings, but the buildings start over 120 feet from the west property line and are more than 300 to 400 feet to the closest structures on adjacent properties. The proposed project design has appropriate densities to ensure that the buildings height and design do not intrude on adjacent properties ambiance or viewsheds.*

3. Outdoor recreation or gathering areas, particularly those that may generate significant noise and/or light and glare, shall be located to minimize intrusion on neighboring properties.

*The major outdoors active recreation areas i.e. pickleball bocce ball tennis courts are located in the eastern portion of the development area adjacent to the farm and orchard area. These potential noise-producing recreational amenities are significantly distanced from any adjacent residents and the Project EIR did not identify any potential noise impacts from these uses.*

4. Structures shall be clustered to reduce site disturbance and protect open spaces, natural and environmentally sensitive areas.

*The project offers a cluster design an approximate 20% of the western portion of the*

*Rincon del Rio ~ CCRC District Assessment*

Date: July 30, 2019

To: County of Nevada

Re: SCO Job No. 200803

*total site. Based on environmental assessments environmental constraints have been identified plotted and avoided.*

5. Building design shall avoid the use of long, unbroken facades, and shall include use of balconies, offset walls, trellises, and other design features.

*Please refer to the Project Booklet Exhibits that depict all building designs and elevations. All buildings avoid unbroken walls many have balconies and unique design features.*

6. Building design, colors, and materials shall generally correspond to the natural setting of the project site, and to any prevalent design styles that may occur in neighborhoods within the general project area.

- I. Findings. A CCRC application may be approved, subject to compliance with the following findings:

1. CCRCs shall be served by public water and public sewer facilities (community sewer systems referenced by General Plan policy 3.1 are not allowed). Extension of services for CCRCs shall be carefully considered by the County, including evaluation pursuant to the following criteria:

- a. Public water and sewer service line extensions shall be generally limited in distance into Rural Regions unless findings can be made demonstrating special circumstances for longer service line extensions.
- b. Public water and sewer service line extensions to serve a CCRC facility shall not pass through lands designated as Open Space, Recreation or Forest in the General Plan.
- c. Extension of public water and sewer service lines shall not create significant potential for development in areas not otherwise planned for development under the General Plan.
- d. Extension of public sewer and water services must comply with applicable provisions of the particular service provider and County policy as a condition of the extension of water and/or sewer services to the project site, including annexation into service area boundaries where required.

2. Any Rezone application for a CCRC Combining District shall carefully consider any issues of compatibility of the proposed project with surrounding lands and

**Rincon del Rio ~ CCRC District Assessment**

Date: July 30, 2019

To: County of Nevada

Re: SCO Job No. 200803

neighborhoods. This shall include an evaluation of:

- a. The type, intensity, and location of land use in the project area.
  - b. Potential for creation of any significant transportation/circulation, aesthetics, noise, visual and other environmental considerations.
  - c. Evaluation of the proposed CCRC site plan, including proposed structural and use area setbacks from property lines.
  - d. Protection of the project area's general character of surrounding land uses and neighborhoods.
3. Reductions to any of the above standards shall require findings by the Planning Agency with permitting authority, that, as a result of project review and/or design review, the following findings can be made and supporting reasons cited, for each reduced standard:
- a. That the reduction of the standard is necessary for reasonable development of the site, as demonstrated by an analysis of the site constraints identified for the specific site, as identified within the project Master Plan;
  - b. That the reduction of the standard will not jeopardize the health, safety or welfare of the project site, or the character of the CCRC, as demonstrated by an analysis of the site; and
  - c. That as a result of the reduced standard(s), the project will be consistent with all applicable design standards and/or goals established for the CCRC through the project Master Plan.
  - d. That such reductions in development standards do not result in project inconsistency with the General Plan.
- J. Amendments. Any amendment to the provisions of the ordinance established for a Continuing Care Retirement Community zoned with a "CCRC" Combining District shall require a rezoning petition. (Ord. 2363 § I, 2013).